

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA

FILED
CHARLOTTE, NC

DEC 06 2011

U.S. DISTRICT COURT
WESTERN DISTRICT OF NC

Yahchanan Christopher Reames
PLAINTIFF,

VS.

COMPLAINT
(42 U.S.C. §1983, §1985)

The Federal Marshals of the Federal
Courthouse in Asheville, NC

CASE NO. 1:11-CV-323

DEFENDANT(S).

A. JURISDICTION

Jurisdiction is proper in this court according to:

- a. ☐ 42 U.S.C. §1983
b. ☒ 42 U.S.C. §1985
c. ☐ Other (Please Specify) _____

B. PARTIES

1. **Name of Plaintiff:** Yahchanan Christopher Reames
Address: 828 Manville Wisaky Rd
Bishopville, SC 29010

2. **Name of Defendant:** The Federal Marshal of the Asheville Federal Courthouse
Address: 100 Otis St
Asheville, NC 28801

Is Employed as Federal Marshal **at** Asheville Federal Courthouse
(Position/Title, if any) **(Organization)**

C. NATURE OF CASE

Why are you bringing this case to court? Please explain the circumstances that led to the problem.

The plaintiff went to the courthouse in Asheville, NC on September 22, 2011. At 3:30 pm, the plaintiff was sitting in court, waiting for a case to begin, when he was told to remove his hat by a plain clothed federal marshall. Mr Reames informed the marshall that his hat is a Fez, which is part of his religious attire, and under his constitutional rights, he could wear it. (see attached page)

D. CAUSE OF ACTION

I allege that my constitutional rights, privileges or immunities have been violated and that the following facts form the basis for my allegations: (If necessary you may attach additional pages)

a. (1) **Count I:** Assault & Battery

(2) **Supporting Facts: (Describe exactly what each defendant did or did not do. State the facts clearly in your own words without citing any legal authority. Use additional sheets if necessary.)**

Mr Reames' head was slammed multiple times into the wall while in handcuffs.

b. (1) **Count II:** _____

(2) **Supporting Facts:**

E. INJURY

How have you been injured by the actions of the defendant(s)?

Mr Reames has a scar around his left wrist about one inch long from tight handcuffs, neck and back pain and emotional damages caused by the actions of the defendants.

C. Nature of Case

Continuation

The marshal relayed the message to the judge, who instructed the marshal to make Mr. Reames either leave the courthouse or remove his fez. Mr. Reames prepared to leave the courtroom when he was apprehended and put into handcuffs. Mr. Reames was then taken into the hallway, out of view of security cameras. The marshalls then told Mr. Reames he was resisting arrest, even though he was already in handcuffs, and proceeded to slam Mr. Reames' head into the wall. Mr. Reames' wife then came out into the hallway and told the officers to stop. She was then put into handcuffs. She asked if they were going to pay for her cancer treatment if she was arrested. Another Marshall arrived at the scene, and told the marshalls to release Mrs. Reames. She was released but Mr. Reames was taken to a holding cell for an hour. He was then moved to another holding cell with inmates, where he felt threatened. He spent another 3 hrs there before being released on mistaken identity.

F. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF

Have you filed other lawsuits in state or federal court that deal with the same facts that are involved in this action? YES___ NO X

If your answer is "YES", describe each lawsuit. (If there are more than one lawsuits, describe additional lawsuits on additional separate pages, using the same outline.)

1. Parties to previous lawsuits:

Plaintiff(s):_____

Defendant(s):_____

2. Name of court and case or docket number:

3. Disposition (for example, was the case dismissed? Was it appealed? Is it still pending?)

4. Issues raised:

5. When did you file the lawsuit? _____

Date: Month/Year

6. When was it (will it be) decided? _____

Have you previously sought informal or form relief from the appropriate administrative officials regarding the acts complained of in Part D?

YES ___ NO ___

If your answer is "YES" briefly describe how relief was sought and the results. If your answer is "NO" explain why administrative relief was

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ____ NO ____. If your answer is "YES" briefly explain.

3. Name of Defendant: _____

Address: _____

Is Employed as _____ **at** _____
(Position/Title, if any) **(Organization)**

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ____ NO ____. If your answer is "YES" briefly explain.

4. Name of Defendant: _____

Address: _____

Is Employed as _____ **at** _____
(Position/Title, if any) **(Organization)**

Was the defendant acting under the authority or color of state law at the time these claims occurred?

YES ____ NO ____. If your answer is "YES" briefly explain.

(Use additional sheets if necessary.)

not sought.

G. REQUEST FOR RELIEF

I believe I am entitled to the following relief:

monetary damages, compensatory damages because I could not hold a job and I could not take care of my family due to the injuries sustained in this incident.

JURY TRIAL REQUESTED

YES ☒ NO ☐

DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained therein is true and correct. 28 U.S.C. §1746; 18 U.S.C. §1621.

Executed at Asheville, NC Federal Courthouse on September 22, 2011.
(Location) (Date)

YAHCHAWAN REAMES
Signature